



Docket No.: SHO-0027  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Takashi NOZAKI et al.

Confirmation No.: 8249

Application No.: 10/697,005

Art Unit: 3713

Filed: October 31, 2003

Examiner: Not Yet Assigned

For: GAMING MACHINE

**PETITION UNDER 37 C.F.R. §1.47 TO ACCEPT DECLARATION WHEN INVENTOR  
REFUSES TO JOIN IN APPLICATION**

MS Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Petition requests that the Declaration of Takashi Nozaki and Tomokazu Nakata be accepted, and that the application may be made by inventor, Takashi Nozaki, on behalf of himself and the omitted inventor, Tomokazu Nakata.

A Declaration listing two inventors thereon is provided herewith. While inventor, Takashi Nozaki, has executed the Declaration, the second inventor, Tomokazu Nakata, has refused to join in the above-identified application.

If a joint inventor refuses to join in an application for patent or cannot be found or reached after diligent effort, the application may be made by the other inventor on behalf of himself and the omitted inventor. 35 U.S.C. §116. The oath or declaration in such an application must be accompanied by a Petition including proof of the pertinent facts, the fee set forth in §1.17(h), and the last known address of the nonsigning inventor. 37 C.F.R. §1.47(a).

**Petition including proof of the pertinent facts**

The invention of the above-identified application was jointly created by Takashi Nozaki and Mr. Nakata while Mr. Nakata was employed by ARUZE Corp. ("ARUZE") and under written contract to assign any and all inventions developed in connection with that employment to ARUZE.

As noted hereinabove, a Declaration listing two inventors thereon is provided along with this Petition. It has been established that an oath or declaration signed by all the available joint inventors with the signature block of the nonsigning inventor(s) left blank may be treated as having been signed by all the available joint inventors on behalf of the nonsigning inventor(s), unless otherwise indicated. M.P.E.P. §409.03(a). In this regard, inventor, Takashi Nozaki, has executed the Declaration while the signature block of the nonsigning inventor, Tomokazu Nakata, is left blank.

Also provided along with this Petition is a Declaration under 37 C.F.R. § 1.132 executed by Mr. Nobuo Yaegashi, Assistant General Manager of the Patent Department for ARUZE, that submits proof of the diligent effort undertaken by ARUZE in seeking the execution by Mr. Nakata of the Declaration, and that the nonsigning inventor cannot be found or reached after diligent effort or refuses to execute the application papers.

**Fee set forth in §1.17(h)**

Please charge Deposit Account No. 18-0013 in the amount of \$130.00 in payment of the Petition fee for other than a small entity.

**Last known address of the nonsigning inventor**

The last known address of the nonsigning inventor, Tomokazu Nakata, is 7-42-7-301, Nishikamata, Ota-ku, Tokyo 144-0051 JAPAN.

**Conclusion**

Upon this petition and in view of the evidence submitted, it is requested that the Declaration of Takashi Nozaki and Tomokazu Nakata be accepted, and that the application may be made by inventor, Takashi Nozaki, on behalf of himself and the omitted inventor, Tomokazu Nakata

If any fee is required or any overpayment made, the Commissioner is hereby authorized to charge the fee or credit the overpayment to Deposit Account # 18-0013.

Dated: August 10, 2004

Respectfully submitted,

By 

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